

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ERIC ADAMS,

Defendant.

24-CR-556 (DEH)

ORDER

DALE E. HO, United States District Judge:

The Government seeks leave to file the exhibits to its Opposition to the Motion for a Bill of Particulars under seal to protect the privacy of third parties. Gov’t Opp’n at 2 n.1, ECF No. 89. The exhibits contain portions of the Government’s discovery productions, which are subject to a protective order. *See id.* at 2; Protective Order, ECF No. 27.

Although the exhibits are “relevant to the performance of the judicial function and useful in the judicial process,” and therefore entitled to a presumption of public access, the Court finds that the presumption in this circumstance is of relatively low weight and is overcome by “countervailing factors.” *See Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006). Specifically, while the exhibits appear to be relevant to the Court’s consideration of the Motion for a Bill of Particulars, they are merely exemplary, and the Government does not contend that the outcome of the Motion turns on any specific piece of information contained therein. *See* Gov’t Opp’n at 2-3; *see also United States v. Amodeo*, 71 F.3d 1044, 1049 (2d Cir. 1995) (describing a “continuum from matters that directly affect an adjudication to matters that come within a court’s purview solely to insure their irrelevance”). The Court finds the presumption outweighed by the “privacy interests of innocent third parties” whose names and other identifying information are contained in the exhibits. *See Amodeo*, 71 F.3d at 1050.

Accordingly, the Government's request to file the exhibits under seal is GRANTED, subject to any potential motion to unseal. The Government is directed to file the exhibits under seal with access limited to court personnel and the parties.

SO ORDERED.

Dated: January 7, 2025
New York, New York

A handwritten signature in black ink, appearing to read "Dale Ho", is positioned above a horizontal line.

DALE E. HO
United States District Judge